

**STATE OF NEW YORK
COUNTY OF OTSEGO
CITY OF ONEONTA
LOCAL CRIMINAL COURT**

**FELONY COMPLAINT
PEOPLE OF THE STATE OF NEW YORK
VS
Terrence Truitt (dob 05/11/84)**

I, Joseph B. Tiemann, the complainant herein, am employed as a police officer by the City of Oneonta, New York accuse Terrence Truitt, the defendant in the action and charge that on or about December 29th of 2018 in the City of Oneonta, County of Otsego, State of New York, the defendant did commit the felony of Arson in the 1st Degree, contrary to section 150.20 - 1 of the Penal Law of the State of New York in that on the above date and place, the defendant did commit the above offense in that: A person is guilty of arson in the first degree when he intentionally damages a building or motor vehicle by causing an explosion or a fire and when (a) such explosion or fire is caused by an incendiary device propelled, thrown or placed inside or near such building or motor vehicle; or when such explosion or fire is caused by an explosive; or when such explosion or fire either (i) causes serious physical injury to another person other than a participant; and when (b) another person who is not a participant in the crime is present in such building or motor vehicle at the time; and (c) the defendant knows that fact or the circumstances are such as to render the presence of such person therein a reasonable possibility.

TO WIT: The defendant did, at the aforesaid date, intentionally start a fire in the second floor hallway of 5 Walling Avenue in the early morning hours. The building is an apartment building and the defendant was aware the building was occupied by tenants and would have reason to believe the tenants were in the building due to the early morning hour. The fire caused the serious physical injury and death of third floor resident John Heller.

The foregoing factual allegations are based on information and belief, the source of the information and grounds for the belief being the investigation conducted by your complainant and other police officers.

False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York. I hereby affirm under penalty of perjury that the above statements of fact are true.

PLEASE TAKE NOTICE THAT THE PEOPLE, PURSUANT TO SECTION 710.30 OF THE CRIMINAL PROCEDURE LAW, INTEND TO USE ALL STATEMENTS OR ADMISSIONS REFLECTED HEREIN, OR ATTACHED HERETO, MADE BY THE DEFENDANT TO A LAW ENFORCEMENT OFFICIAL.

Affirmed under the penalty of perjury
on Monday, December 31, 2018


Det. Joseph B. Tiemann